

## REMARKS

In the paper dated November 27, 2006, Applicant responded to the *Office Action*. Applicant stands by that response, and incorporates into this *Amendment* the arguments made in that response.

An in-person interview was conducted on March 1, 2007 at the USPTO. Attending the meeting were Examiner Ouellette, Teo Balbach, and the undersigned. Mr. Balbach and the undersigned appreciate the time taken by Examiner Ouellette to prepare for and attend the meeting held on March 1, 2007.

At the in-person interview, the current state of the prosecution was discussed. The examiner noted that the rejections contained in the *Office Action* have been addressed, but that 35 U.S.C. 101 is now an issue. A discussion of 35 U.S.C. 101 followed. Also, some discussion occurred regarding how the claims could be amended in order to accommodate Examiner Ouellette, and the undersigned asked Examiner Ouellette to provide some authority for the position taken with regard to 35 U.S.C. 101. In a voice message received by the undersigned on March 6, 2007, the 35 U.S.C. 101 issue was removed, and in its place, 35 U.S.C. 112 - second paragraph was cited, along with MPEP 2172.01.

While the undersigned maintains the claims do not need to be amended in order for them to be allowed, the claims have been amended herein in order to expedite issuance of a Notice Of Allowance. It is believed the claim amendments made in this *Amendment* are in keeping with the discussions which occurred on March 1, 2007.

CONCLUSION

In view of the foregoing remarks, it is respectfully submitted a full and complete response has been made. The claims are in condition for allowance, and allowance of the claims is respectfully requested.

The applicant believes that a three-month extension-of-time fee is due with this *Amendment*. Please charge the fee and any other fee required to enter this *Amendment* to Deposit Account No. 08-2442. A petition for extension of time is enclosed with this *Amendment*.

The Examiner is invited to call applicant's attorney if any questions remain following review of this *Amendment*. If it will help, the undersigned is willing to explain by telephone or in person, the reasons the claims are allowable.

Respectfully submitted,



---

R. Kent Roberts  
Attorney for Applicant  
Registration No. 40,786

Date: March 26, 2007

Hodgson Russ LLP  
One M&T Plaza, Suite 2000  
Buffalo, NY 14203-2391  
Telephone: (716) 856-4000